

March 10, 2008

Jeanine Townsend
Acting Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

By email and facsimile

Subject: COMMENT LETTER: RECYCLED WATER POLICY
— March 18, 2008 Board Meeting

Dear Chair Doduc and Members of the Board:

Once again the City of San José would like to express its appreciation to the State Water Resources Control Board for working closely with agencies involved in the production and distribution of recycled water in the development of the proposed policy. As before in our correspondence of October 26, 2007 we have some suggestions to improve the policy such that it might better facilitate the use of recycled water for irrigation.

With respect to the overall impact of the proposed policy on the use of recycled water in the State of California as a whole, we would draw your attention to the comments of the WaterReuse Association as reiterated by the many individual agencies (including the City of San Jose) that participate in that organization. In that regard we encourage you to consider carefully their comments regarding Salt Management Plan (III), Narrative Toxicity Objectives (IV) and Anti-Degradation Policy (VI) to ensure that the proposed policy clearly and unambiguously realizes the Board's intent to limit and not to expand the authority of the Regional Boards to the extent needed to protect groundwater.

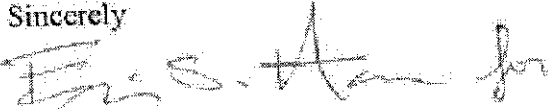
In addition, we would like to propose some revisions particularly pertinent to the City of San Jose and the SBWR program. Specifically, we would like to see some additional clarification with respect to when the requirements of the "Nutrient Management Plan" (II.E) must be implemented relative to the implementation of a Salt Management Plan (III.B.2). In addition, pursuant to our previous comments we continue to recommend that the definition of "Irrigation Project" (II.C) be revised to include all projects in which recycled water is applied at rates commensurate with the needs of the plants under cultivation.

Participating Agencies
City of San Jose
City of Santa Clara
City of Milpitas
West Valley
Sanitation District
Bartlett Sanitary District
Cupertino Sanitary District
Sunnyvale Sanitary District
Contra Costa Sanitation
District No. 2-3
San Jose Water Company
Santa Clara Water Company
Santa Clara Valley
Water District
United States Bureau of
Reclamation

extending the timeline for adoption of the proposed policy. In that case, we would suggest an appropriate extension of time sufficient to allow adequate review and revision of these important issues.

Thank you once again for this opportunity to provide comment and for your time in developing this important recycled water policy that has become so critical towards our ensuring a sustainable water supply for California.

Sincerely



Mansour M. Nasser
Deputy Director Water Resources
Environmental Services Department
City of San José
cc: Michele Pla, BACWA
Mary Grace Pawson, WateReuse Association